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APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

POND, ROBERT M

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/466,236

Applicant(s)

PARTOVI ET AL.

Examiner

Robert M. Pond

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant amended claims 1 and 19. All claims pending, 1-53, were examined in this final office action.

Response to Arguments

Applicant's arguments filed 15 October 2002 have been fully considered but they are not persuasive.

- Applicant traverses suggestion, motivation, and teaching for combining Chelliah et al. and PR Newswire.
 - As disclosed in the office action, Chelliah et al. teach the system and method BroadVision of conducting electronic commerce between a customer and a merchant via a web commerce server that manages the transaction. Any number of customers can transact electronic commerce with at least one merchant connected to the web commerce server. PR Newswire discloses BroadVision and Nuance working together in an industry alliance to integrate BroadVision's family of web commerce applications with Nuance's SpeechObjects™ to provide personalized business-to-consumer services over the telephone. The "combination of BroadVision and Nuance offers a unique value proposition to companies that want to

provide their customers with self-service transactions from the most convenient device, whether it be a web browser or a telephone” ...

“BroadVision’s One-To-One Internet applications will add a new level of personalization to over-the-phone transactions with speech interfaces” (please see PR Newswire, page 1). Chelliah et al.

suggests a voice-interface using touch-tone phones, PR Newswire provides the motivation to combine Chelliah et al. and Nuance to speech-enable web commerce activities. This combination is obvious due to industry forces bringing the two companies together to meet rising customer convenience demands. Speech enabling commerce activities is the crux of the Applicant’s instant claims.

The teachings of Chelliah et al. address the details of cited claims and the combination of Chelliah et al. and PR Newswire provide the speech-to-web interface motivation.

- PR Newswire discloses Nuance’s reusable speech objects. This examiner is providing the Applicant a copy of a Nuance speech objects patent, patent number 6,314,402, for purposes of illustration, of the type of technology Nuance has to offer it’s alliance members.

- The Applicant argues the customer interacts directly with the merchant using Chelliah et al.
 - Chelliah et al. teach a customer interacting with a web commerce server. Regardless of who or where the web commerce server is located, it represents a second computer that interacts with at least one customer. Adding a front-end processor to accommodate Nuance's speech objects processing would place a computer between the customer and the web commerce server. Block diagrams can be drawn in a variety of ways to depict an arrangement showing one or multiple computers.
- Applicant traverses suggestion, motivation, and teaching for combining Chelliah et al. and PR Newswire with Business Wire.
 - Business Wire teaches BroadVision forming a relationship with VeriFone and thereby provides the suggestion and motivation to combine. This industry announcement by VeriFone teaches secure payment systems and one or more of HTTP, SSL and HTTPS, whereas Chelliah et al. (BroadVision) teach secure payment systems. The combination of Chelliah et al., PR Newswire, with Business Wire is obvious and entirely appropriate given the business relationship link between VeriFone and BroadVision as disclosed by Business Wire.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1. Claims 1-3, 5-7, 10-21, 23-25, 28, 32-38, 40, 41, and 44-53 are rejected under 35 USC 103(a) as being unpatentable over Chelliah et al, patent number 5,710,887, in view of PR Newswire ("BroadVision Joins V-Commerce Alliance," 06 October 1998, Dialog file 20 #03027803).**

Chelliah et al. teach a system, method, and means of BroadVision for facilitating electronic commerce between a plurality of customers, suppliers, and third-party commerce enablers. Customers initiate Internet-based commerce sessions with electronic storefronts, purchase requested items, make payments, and provide shipping information for delivery (see at least abstract; Fig. 1 (10); col. 1, line 5 through col. 5, line 3). Chelliah et al. teach customer interfaces comprising a video terminal, cable television set-top device, touch-sensitive kiosk screen, touch-tone telephone, or any other device or combination of devices capable of reproducing or otherwise displaying human intelligible audio and/or visual information to a customer and capable of converting human input to a discrete signal capable of being recognized by a computer (see at least col. 3,

lines 5-15; col. 6, lines 31-34; col. 9, lines 53-61). Chelliah et al. teach catalog systems, product databases for viewing and comparing items, secure transaction processing, HTML, Internet protocol, customer receipt and billing information, and shipping. Chelliah et al. further teach a participant program object that contains profile data and demographic data that is used in various phases of a purchase transaction (see at least col. 9, line 62 through col. 10, line 30).

Chelliah et al. teach all the above as noted under the 103(a) rejection and further teach a customer interface and an electronic storefront interface provided by the electronic mall system, but do not specifically disclose speech recognition as a part of these interfaces to support the touch-tone telephone customer interface noted above. PR Newswire teaches BroadVision in collaboration with Nuance to speech-enable BroadVision's e-commerce application. Nuance provides SpeechObjectsTM that are reusable speech recognition components for rapid development of voice-commerce applications. PR Newswire teaches a combined solution that provides personalized business-to-consumer services over the telephone, complementing BroadVision's Web enabling applications (see pages 1-2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system, method, and means of Chelliah et al. to include speech recognition as taught by PR Newswire, in order to extend access of Web commerce services to 800 million telephones and thereby capture more market-share in the electronic commerce space.

- 2. Claims 4, 22, and 39 are rejected under 35 USC 103(a) as being unpatentable over Chelliah et al, patent number 5,710,887, and PR Newswire, ("BroadVision Joins V-Commerce Alliance," 06 October 1998, Dialog file 20 #03027803), as applied to Claims 2, 20, and 36, further in view of Official Notice.**

Chelliah et al. and PR Newswire teach a customer contact system for communicating with customers and a participant program object that contains identifying information (see at least Fig. 2 (112); col. 9, line 30 through col. 10, line 43) but do not specifically disclose using a telephone directory for a reverse lookup for identifying information. This examiner takes the position that conducting a directory lookup to extract customer identifying information is old and well known in the telecommunications industry and therefore would have been obvious to one of ordinary skill in the art at time of the invention to modify the system, method, and means of Chelliah et al. and PR Newswire to include reverse lookup as taught by Official Notice, in order to provide another approach to cross-referencing customer identifying information and thereby offer more convenience and service to the customer.

- 3. Claims 8, 9, 26, 27, 29-31, 42, and 43 are rejected under 35 USC 103(a) as being unpatentable over Chelliah et al. and PR Newswire ("BroadVision Joins V-Commerce Alliance," 06 October 1998, Dialog file 20 #03027803), as**

applied to Claims 1, 19, and 36, further in view of Business Wire ("VeriFone Offers Merchants Cost-Effective Access To Highly Secure Online Payment Through ISPs; ISPs Gain Increased Revenue Opportunities With VeriFone Offerings," 28 September 1998, Dialog file 20 #02949245).

Chelliah et al. and PR Newswire teach secure transactions and secure payment systems but specifically fail to disclose one or more of HTTP, SSL and HTTPS. Business Wire teaches Internet commerce leader BroadVision using SSL and SET (Secure Electronic Transaction) security protocols. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system, method, and means of Chelliah et al. and PR Newswire to include industry standard security protocols as taught by Business Wire, in order to ensure secure interoperability between commerce systems.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ms. Wynn Coggins** can be reached on 703-308-1344.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-305-7687 (Official communications; including After Final
communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, 7th floor receptionist.

RMP
December 29, 2002


FREYA A. SMITH
PRIMARY EXAMINER